

Serial No. **61 691 T**

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office..... **NOV 15 1995**

Returned to applicant for correction.....

Corrected application filed.....Map filed.....**NOV 15 1995**

The applicant James L. Moyle  
P.O. Box 128 of Eureka  
Street and No. or P.O. Box No. City or Town

Nevada 89316 hereby make...Application for permission to change the  
State and Zip Code No.  
point of diversion  
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under.....Permit No. 31112 Certificate 9335  
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and  
.....  
identify right in Decree.

1. The source of water is Underground Diamond Valley  
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 2.03 cfs  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Irrigation  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Irrigation  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point NE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 23 T21N R.53E MBD&M  
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within.....NE~~1~~ NW~~1~~ Section 23 T.21N. R.53E. M.D.B.&M.  
If point of diversion is not changed, do not answer.  
or at a point from which the NW corner of Section 14 T.21N. R.53E., M.D.B.&M.  
.....  
bears N. 11°23'51" W. a distance of 6,706.5 Feet in Eureka County, State of Nv.

- |   |  |  |  |  |  |  |  |  |  |  |
|---|--|--|--|--|--|--|--|--|--|--|
| 7. Proposed place of use.....   | Irrigation 34.09 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23 T21N R53E  |  |  |  |  |  |  |  |  |  |
|   | Describe by legal subdivisions. If for irrigation state number of acres to be irrigated. |  |  |  |  |  |  |  |  |  |
| 34.09 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 23 T21N R53E MDB&M |  |  |  |  |  |  |  |  |  |  |
| 34.09 " " " SW $\frac{1}{4}$ NW $\frac{1}{4}$ " " " " " "                       |  |  |  |  |  |  |  |  |  |  |
| 34.09 " " " SE $\frac{1}{4}$ NW $\frac{1}{4}$ " " " " " "                       |  |  |  |  |  |  |  |  |  |  |
| 136.36 acres  |  |  |  |  |  |  |  |  |  |  |

8. Existing place of use..... Same as above  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day

10. Use was permitted from January 1 to December 31 of each year.  
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Replace bad existing well with new well  
State manner in which water is to be diverted, i.e. diversion structure,  
ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works.....\$30,000

13. Estimated time required to construct works 7 days

180 days

14. Estimated time required to complete the application of water to beneficial use.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Report of Conveyance of Title has also been filed with this office.

By s/James L. Moyle  
P.O. Box 128  
Eureka, Nevada 89316

Compared..... cl/jk cl/bk

Protested.....

## APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 31112, Certificate 9335 is issued subject to the terms and conditions imposed in said Permit 31112, Certificate 9335 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on May 5, 1997 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The well drilled under Permit 61691-T shall be plugged in accordance with the Nevada Administrative Code, Chapter 534.420, "Regulations for Water Well and Related Drilling" within 60 days from the expiration of this permit.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to

exceed..... 2.03 .....cubic feet per second but not to exceed 545.44 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 6th day of May

A.D. 19 96

*R. Michael Turnipseed*  
State Engineer

MAILED  
MAY 12 1997